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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

RICHARD C. WOJEWODZKI

v.

CONSOLIDATED FREIGHTWAYS, INC.

:
: No. 1:CV 01-285
: (Judge Rambo)
: Civil Action
: Jury Trial Demanded

mag. J. Ramsey

PLAINTIFF'S ANSWER TO DEFENDANT'S
STATEMENT OF UNDISPUTED MATERIAL FACTS

And now, to wit, comes the Plaintiff, by his attorneys, and files the following

Answer:

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. Admitted.

6. Denied. Mr. Kot assumed 25 percent of Plaintiff's duties. The remaining

portion of Plaintiff's duties were assumed by Pat Corson (see Affidavit of Richard C. Wojewodzki).

7. Admitted. By way of further answer, Pat Corson was in his late 20s or early 30s (see Affidavit of Richard C. Wojewodzki).

FILED
HARRISBURG

MAY 29 2001

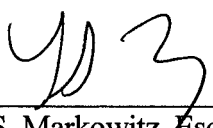
MARY E. D'ANDREA, CLERK

Per *gfb*
DEPUTY CLERK

8. Denied. To the contrary, this document has been altered (see Affidavit of Richard C. Wojewodzki).

Respectfully submitted,

MARKOWITZ & KREVSKY P.C.

By: 
Lawrence S. Markowitz, Esquire
Attorney for Plaintiff
208 E. Market St., P.O. Box 392
York PA 17405-0392
(717) 843-2876
Supreme Ct. I.D. #41072

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RICHARD C. WOJEWODZKI	:
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AFFIDAVIT OF RICHARD C. WOJEWODZKI

I, Richard C. Wojewodzki, am over eighteen (18) years of age and could competently testify to the following facts from my personal knowledge:

1. When I was the Assistant Terminal Manager for Defendant at Carlisle, my job included supervising all other supervisors, drivers, and hostlers. I was also responsible for safety, labor issues and daily paperwork reporting. I also had some duties for the Northeast Regional Center. My duties for the Northeast Regional Center only accounted for 25 percent of my work.

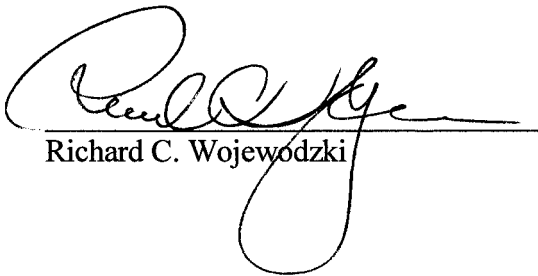
2. Pat Corson took over my responsibilities when I was transferred except for the Northeast Regional Center. He took over my desk and I saw him completing my paperwork. In fact, after I was transferred to Norristown, Mr. Corson called me several times for assistance with information on projects that I had been working on while I was the Assistant Terminal Manager in Carlisle.

3. Mr. Corson was in his late 20s or early 30s at the time that I was relieved of my duties.

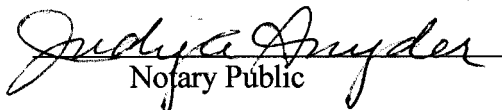
4. Mr. Kot did take over the Northeast Regional Center for me; however, that task was only 25 percent of my job. Pat Corson performed the remaining 75 percent of my duties.

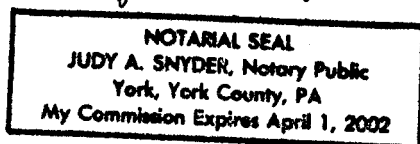
5. After I left Carlisle, I received an e-mail from one of my superiors, George Scheck, indicating about Pat Corson that the young man that replaced you is going crazy. A copy of the e-mail is attached hereto.

6. I have reviewed Exhibit 2 attached to Defendant's Motion for Summary Judgment. I am familiar with this form during my many years of service with the company. It is my belief that the exhibit has been altered because of the differences in how the form was filled out (writing on part of the form versus typing on part of the form), and the three different dates contained with the exhibit. This would not be Defendant's usual and customary practice.


Richard C. Wojewodzki

Sworn to and affirmed before
me this 25th of May,
2001.


Notary Public



TO: DICK SKI
 CMC / CPT
 1 CAROLINA WAY
 CARLISLE PA 17403

CMF-MA-CL- 2-Sep-99 03142135

FROM: GEORGE SCHAAK
 CFC / CFS

CMF-MA-CL-GES 1-Sep-99 13144107

SUBJECT: GOING CRAZY

CMF-MA-CL-DCS/MA#9721511

To: DICK SKI
 From: GEORGE SCHAAK
 Date: Wednesday 1-Sep-99 at 11:51pm (4:51pm local time)
 Subject: GOING CRAZY

CMF-MA-CL-DCS

CMF-MA-CL-GES

HI RUDDY.. I AM SORRY WE DIDN'T HAVE A CHANCE TO TALK.. JUST A POINT
 OF INFO, THE YOUNG MAN THAT IS TRYING TO FILL YOUR SHOES IS ON THE
 VERGE OF GOING OFF THE END OF THE CLIFF.. THEY THOUGHT IT WAS SO
 EASY!!!

HEY KEEP IN TOUCH !!

YOUR FRIEND IN THE SHOP!!

***** Routed on: Thu 2-Sep-99 at: 3:42pm

From: CMF-MA-CL-DCS DICK SKI

To: CMF-MA-NG-NO3 NOF3 PRINTER

CTCS Printer

* * End of Message * * Printed on 2-Sep-99 at 03:42:39 MA# 9721511

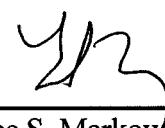
CERTIFICATE OF SERVICE

AND NOW, TO WIT, this 25th of May, 2001, I, Lawrence S. Markowitz, Esquire, hereby certify that I have this date served a copy of the foregoing Plaintiff's Answer to Defendant's Statement of Undisputed Material Facts by depositing a copy of same in the United States Mail, postage prepaid at York, Pennsylvania, addressed to counsel of record as follows:

Vincent Candiello, Esquire
G. Scott Paterno
Morgan, Lewis & Bockius LLP
417 Walnut Street
Harrisburg PA 17101

Respectfully submitted,

MARKOWITZ & KREVSKY P.C.

By: 

Lawrence S. Markowitz, Esquire
Attorney for Plaintiff
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York Pa 17405-0392
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